

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegations of corruption – Surprise Check conducted by Anti Corruption Bureau Officials over the O/o. Deputy Transport Commissioner, Guntur on 27.3.1999 – Disciplinary proceedings initiated against Sri Ch.Babu Prasad, Sr.Asst., Sri P.Koteswara Rao, Sr.Asst., Sri T.V.Prasad, Sr.Asst. along with Four (4) Others – Inquiry Conducted – Not Proved – Punishment imposed – O.A.No.2597/2007, 2598/2007 & 2599/2007 filed – Allowed – Implement the Orders of Hon'ble APAT – Setting aside the Punishments – Orders – Issued.

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TRANSPORT, ROADS AND BUILDINGS (VIG-Tr[1]) DEPARTMENT

G.O.Rt.No.204

Dated.22 .04.2015.

Read the following:-

- 1) Transport Commissioner's Proceedings R.No.5043/V3/1999 - 1 to 3, dt.28.4.2007.
- 2) O.A.No.2597/2007 filed by Sri Ch.Babu Prasad, Senior Assistant, O/o. Regional Transport Office, Ongole.
- 3) O.A.No.2598/2007 filed by Sri T.V.Prasad, Administrative Officer, O/o. Deputy Transport Commissioner, Guntur.
- 4) O.A.No.2599/2007 filed by Sri P.Koteswara Rao, Administrative Officer, O/o. Deputy Transport Commissioner, Nellore.
- 5) Common Orders of Hon'ble Andhra Pradesh Administrative Tribunal, dated.19.03.2010 in O.A.Nos. 2597/2007, 2598/2007 & 2599/2007.
- 6) Letter No.5043/V3/1999 from the Transport Commissioner, Andhra Pradesh, Hyderabad, dated.31.10.2013.
- 7) Govt.Memo No.21424/Vig-Tr/1/1999-22, dated. 03.11.2014.
- 8) Letter No.OA.2597/2598/2599/2007/KRL/SER/HC from the Govt.Pleader for Services(AP), High Court Of Andhra Pradesh, Hyderabad, dated. 08.12.2014.

ORDER:

In his Proceedings first read above, the Transport Commissioner, Andhra Pradesh, Hyderabad has imposed the Punishment of stoppage of Two Annual Increments without Cumulative effect against Sri Ch.Babu Prasad, Senior Assistant, Sri P. Koteswara Rao, the then Senior Assistant, Sri T.V. Prasad, the then Senior Assistant on the allegation that, they committed grave misconduct in as much as, they allowed the unauthorised Motor Vehicles agents and unlicensed agents to collect illegal gratifications from the public, who ever visits the Office of the Deputy Transport Commissioner, Guntur, for their official purpose to show the official favour to issue permits.

2. Against the said punishments, Sri Ch.Babu Prasad, Senior Assistant, Sri P. Koteswara Rao, the then Senior Assistant, and Sri T.V.Prasad, the then Senior Assistant have filed O.A.No.2597 to 2599 of 2007 in the Hon'ble Andhra Pradesh Administrative Tribunal.

3. The Hon'ble APAT, in its common orders, fifth read above, while disposing of the OA Nos. 2597/2007, 2599/2007 & 2598/2007, set aside the impugned orders and declared that the applicants are entitled for all consequential benefits arising thereof.

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4. The Transport Commissioner in his Letter 6th read above, has informed that, the Government Pleader for Transport Cases, Andhra Pradesh Administrative Tribunal was addressed for his opinion on the Orders of APAT to file a Writ Petition. The Government Pleader for Transport Cases, Andhra Pradesh Administrative Tribunal has observed that, the Hon'ble Tribunal on 19.03.2010, set aside the punishment orders and also the Hon'ble APAT while allowing the O.As categorically held that the Disciplinary Authority ought to have cross examined Sri K. Adinarayana Rao, Authorized Motor Vehicle Agent, when he resiled from his statement to elicit truth in the matter and the very dissenting opinion given by the Disciplinary Authority is contrary to the records of enquiry and therefore, the Govt. Pleader, APAT has opined that, this is not a fit case for Judicial Review by filing Writ Petition.

5. After examining the report of the Transport Commissioner and the opinion of Government Pleader, Andhra Pradesh Administrative Tribunal, the Government, in the reference 7th read above, addressed to the Government Pleader, High Court of Andhra Pradesh for his opinion and the Government Pleader, High Court of Andhra Pradesh in her Letter 8th read above, has opined that, the opinion given earlier by the Government Pleader, holds good and not to see any legal grounds to file a Writ Petition, in view of the fact that, some of the people involved in the same disciplinary proceedings have been let off by dropping further action.

6. After careful examination of the Orders of the Hon'ble APAT and in the light of the opinion of the Government Pleader, Hon'ble High Court of Andhra Pradesh, decide to implement the Orders of Hon'ble Tribunal, dated. 19.03.2010 i.e., to set aside the Punishment of stoppage of Two Annual Increments without cumulative effect imposed against Sri Ch.Babu Prasad, Senior Assistant, Sri P. Koteswara Rao, the then Senior Assistant and Sri T.V. Prasad, the then Senior Assistant.

7. Accordingly, Government hereby order to set aside the Punishment, imposed against Sri Ch.Babu Prasad, Senior Assistant, Sri P.Koteswara Rao, the then Senior Assistant, and Sri T.V.Prasad, the then Senior Assistant in the reference 1st read above, by the Transport Commissioner, Andhra Pradesh i.e., stoppage of of Two Annual Increments without cumulative effect .

8. The Transport Commissioner, Andhra Pradesh, Hyderabad shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SAM BOB
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The individuals concerned through the Transport Commissioner,
Andhra Pradesh, Hyderabad.
The Transport Commissioner, Andhra Pradesh, Hyderabad.
Copy to
The Director General, Anti Corruption Bureau, Andhra Pradesh,
Hyderabad.
The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.
SF/SC

//FORWARDED:: BY ORDER//

SECTION OFFICER

